

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

EMERSON ZAPOTOSKY,

Defendant.

2:10-CR-426-ECR-LRL

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on January 5, 2011, defendant EMERSON ZAPOTOSKY pled guilty to a One-Count Criminal Indictment charging him with Felon in Possession of a Firearm in violation of Title 18, United States Code, Section 922(g)(1).

This Court finds defendant EMERSON ZAPOTOSKY agreed to the forfeiture of the property set forth in Forfeiture Allegation of the Criminal Indictment.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant EMERSON ZAPOTOSKY pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

(A) a Taurus 45LC/410GA handgun, serial number CT848647; and

(B) any and all ammunition.

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1 This Court finds the United States of America is now entitled to, and should, reduce the
2 aforementioned property to the possession of the United States of America.

3 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
4 United States of America should seize the aforementioned property.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
6 EMERSON ZAPOTOSKY in the aforementioned property is forfeited and is vested in the United
7 States of America and shall be safely held by the United States of America until further order of the
8 Court.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
10 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
11 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
12 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
13 the name and contact information for the government attorney to be served with the petition, pursuant
14 to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
16 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
18 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
19 following address at the time of filing:

20 MICHAEL A. HUMPHREYS
Assistant United States Attorney
21 DANIEL D. HOLLINGSWORTH
Assistant United States Attorney
22 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
23 Las Vegas, Nevada 89101.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
3 following publication of notice of seizure and intent to administratively forfeit the above-described
4 property.

5 DATED this 12th day of January, 2011.

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9 UNITED STATES DISTRICT JUDGE
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